

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4837
Boyd for Congress and Jennifer)
R. Cannon, as treasurer;)
David P. Windham.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on April 27, 1999, do hereby certify that the Commission took the following actions in MUR 4837:

- A. Failed in a vote of 3-3 to pass a motion to:
1. Find reason to believe that Boyd for Congress and Jennifer R. Cannon, as treasurer, violated 2 U.S.C. § 441d(a).
 2. Enter into negotiations prior to a finding of probable cause to believe with Boyd for Congress and Jennifer R. Cannon, as treasurer.
 3. Find no reason to believe that F. Allen Boyd, Jr. violated the Act with regard to MUR 4837 and close the file as it pertains to him.
 4. Find no reason to believe that David P. Windham violated the Act with regard to MUR 4837 and close the file as it pertains to him.

(continued)

5. Approve the Factual and Legal Analysis, Conciliation Agreement, and the appropriate letters, as recommended in the General Counsel's April 13, 1999 report

Commissioners McDonald, Thomas, and Wold voted affirmatively for the motion; Commissioners Elliott, Mason, and Sandstrom dissented.

B. Decided by a vote of 4-2 to:

1. Find reason to believe that Boyd for Congress and Jennifer R. Cannon, as treasurer, violated 2 U.S.C. § 441d(a).
2. Enter into negotiations prior to a finding of probable cause to believe with Boyd for Congress and Jennifer R. Cannon, as treasurer.
3. Find no reason to believe that F. Allen Boyd, Jr. violated the Act with regard to MUR 4837 and close the file as it pertains to him.
4. Find no reason to believe that David P. Windham violated the Act with regard to MUR 4837 and close the file as it pertains to him.

(continued)

0423622870

5. Approve the Factual and Legal Analysis, Conciliation Agreement, and the appropriate letters, as recommended in the General Counsel's April 13, 1999 report

Commissioners Elliott, Mason, Sandstrom, and Wold voted affirmatively for the decision. Commissioners McDonald and Thomas dissented.

Attest:

4-28-99
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission